

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ARTHUR L. HAIRSTON,	:	1:11-cv-1379
Plaintiff,	:	
	:	
v.	:	
	:	Hon. John E. Jones III
HARLEY LAPPIN, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 18th day of October, 2013, upon consideration of the report and recommendation of Chief United States Magistrate Judge Martin C. Carlson (Doc. 146), recommending that Defendants' motion for summary judgment (Doc. 107) be granted and all other pending motions (Docs. 135, 137, 139, 144) be denied as moot, and, after an independent review of the record, and noting that Plaintiff filed objections¹ (Docs. 148) to the report on September 18, 2013, and that Defendants filed a response (Doc. 149) on October 2, 2013, to which the Plaintiff filed a reply (Docs. 150 and 151) on October 10, 2013, and the Court finding Judge Carlson's analysis to be thorough, well-reasoned, and fully supported by the record, and the Court further finding the

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

Plaintiff's objections to be without merit² and squarely addressed by Judge Carlson's report, it is hereby **ORDERED** that:

1. The Report and Recommendation of Chief Magistrate Judge Martin C. Carlson (Doc. 146) is **ADOPTED** in its entirety.
2. Defendants' motion for summary judgment (Doc. 107) is **GRANTED**.
3. Plaintiff's pending miscellaneous motions (Docs. 135, 137, 139, 144) are **DENIED AS MOOT**.
4. The Clerk of Court shall **CLOSE** the file on this case.

s/ John E. Jones III
John E. Jones III
United States District Judge

² Plaintiff's objections are nothing more than attempt to re-litigate the merits of the Defendants' summary judgment motion and a recitation of his claims. Because we find the reasoning, analysis and recommendations of the Magistrate Judge to be entirely correct and utterly without error, we decline to conduct a discussion of the Plaintiff's non-meritorious objections herein.